

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
501 EAST COURT STREET, SUITE 5.550
JACKSON, MISSISSIPPI 39201



CARLTON W. REEVES
DISTRICT JUDGE

TELEPHONE: (601) 608-4140
FAX: (601) 608-4149

BY ECF

RE: *United States of America v. Hinds County, et. al.*, No. 3:16-CV-489-CWR-JCG

Dear Counsel:

I hope this message finds you as well as can be expected during these trying times.

The Court has observed the steadily growing death toll caused by COVID-19¹ and taken note of State Health Officer Dr. Thomas Dobbs' warning that Mississippi should "[e]xpect to see a lot more cases, and a lot more deaths."² It is my hope that Hinds County can immediately get ahead of this virus and prevent what we're seeing happening at correctional systems across the country, like Rikers in New York or across the Federal Bureau of Prisons, where infection rates and coronavirus-related deaths are increasing and systems are having to take drastic measures.³ As experts have noted, the time to act is now to prevent needless deaths among our incarcerated populations who are uniquely susceptible given "the most important strategy of physical distancing simply is not possible in prisons, jails, and detention centers."⁴ Moreover, these populations do not have the capability of complying with the simple rule of washing their hands frequently and thoroughly with soap and warm water or alcohol-based hand sanitizer.

As I reviewed the Monitor's Tenth Report, I was glad to read about Hinds County's efforts to prepare for COVID-19's inevitable introduction to the County's jails. I spoke with the Monitor's team today and – while they note there is still a way to go to implement an effective response – they informed me that Hinds

¹ *Coronavirus Disease 2019 (COVID-19)*, CDC (Apr. 3, 2020), <https://www.cdc.gov/coronavirus/2019-ncov/cases-updates/cases-in-us.html> (noting 239,279 total cases and 5,443 deaths as of April 3, 2020).

² Maggie Wade, *Mississippi State Department of Health breaks down the numbers for COVID-19 case*, WLBT (Apr. 2, 2020), <https://www.wlbt.com/2020/04/03/mississippi-state-department-health-breaks-down-numbers-covid-cases/>.

³ Ned Parker et al., *Spread of coronavirus accelerates in U.S. jails and prisons*, Reuters (Mar. 28, 2020), <https://www.reuters.com/article/us-health-coronavirus-usa-inmates-insigh/spread-of-coronavirus-accelerates-in-us-jails-and-prisons-idUSKBN21F0TM>; see also Nicholas Chrastil, *Four confirmed coronavirus deaths at Louisiana federal prison*, The Lens (Apr. 2, 2020), <https://thelensnola.org/2020/04/02/four-confirmed-coronavirus-deaths-at-louisiana-federal-prison/>.

⁴ Letter from Harvard T.H. Chan School of Public Health and Harvard Medical School faculty to Massachusetts Governor Charlie Barker (Mar. 31, 2020), <https://cdn1.sph.harvard.edu/wp-content/uploads/sites/2464/2020/03/HCSPPH-HMS-Faculty-Letter-on-COVID-19-in-jails-3-31-20-FINAL.pdf>.

County is moving forward to ensure the safety of the prisoners, correctional officers, and residents of Hinds County.

Nothing in the Consent Decree, Docket No. 8-1, or Stipulated Order, Docket No. 60-1, will prevent Hinds County from taking every possible effort to mitigate the effects of this crisis. If either party believes either order will interfere with Hinds County's efforts, you are strongly encouraged to confer and then, if necessary, file an emergency motion with the Court.

The Court will do whatever it takes within the confines of the law to fulfill the Consent Decree's express goals of providing those imprisoned in Hinds County "with reasonable safety, protection from harm, and conditions of confinement that conform to the requirements of the United States Constitution and federal law." As the Court has emphasized frequently, the detention centers are jails holding pretrial detainees, all of whom are presumed innocent. Some are actually innocent while some remain detained because they do not have the resources to meet their court-imposed bail requirements. This pandemic underscores the need for making sure that the cases against all of these pretrial detainees proceed as efficiently as possible toward just resolution.

Thank you for your continued attention to this case.

Sincerely,

s/ Carlton W. Reeves
UNITED STATES DISTRICT JUDGE